

Introduced by Senator Runner

February 14, 2009

An act to add Section 18871.12 to the Health and Safety Code, relating to special occupancy parks.

LEGISLATIVE COUNSEL'S DIGEST

SB 166, as introduced, Runner. Special occupancy parks.

Existing law requires the Department of Housing and Community Development to adopt regulations for special occupancy parks that establish requirements which the department has determined to be reasonable and necessary for the protection of life and property and which take into consideration any special conditions, including location, physical environment, density of usage, type of operation, type of vehicles to be accommodated, and duration of occupancy. Pursuant to these provisions, the department has adopted a regulation that prohibits a truck camper from being occupied if it has been removed from the truck.

This bill would supersede that regulation and instead make it a crime for any person to occupy a truck camper, as defined, that has been dismounted from a truck, unless the truck camper is equipped with a permanently mounted jack on each of its four corners and designed to be occupied when dismounted.

By creating a new crime, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 18871.12 is added to the Health and
2 Safety Code, to read:
3 18871.12. Notwithstanding Sections 18865.3 and 18871.10, it
4 is unlawful for any person to occupy a truck camper, as defined
5 in Section 18013.4, that has been dismounted from a truck, unless
6 the truck camper is equipped with a permanently mounted jack on
7 each of its four corners and designed to be occupied when
8 dismounted.
9 SEC. 2. No reimbursement is required by this act pursuant to
10 Section 6 of Article XIII B of the California Constitution because
11 the only costs that may be incurred by a local agency or school
12 district will be incurred because this act creates a new crime or
13 infraction, eliminates a crime or infraction, or changes the penalty
14 for a crime or infraction, within the meaning of Section 17556 of
15 the Government Code, or changes the definition of a crime within
16 the meaning of Section 6 of Article XIII B of the California
17 Constitution.